

BEFORE THE HUMAN RIGHTS COMMISSION  
OF THE STATE OF MONTANA

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CAROL GREEN,	)	
	)	
Charging Party	)	Cause No. 0031010532
	)	
vs.	)	<b>ORDER</b>
	)	
	)	
STATE OF MONTANA,	)	
	)	
Respondent.	)	

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The above-captioned matter came before the Montana Human Rights Commission ("Commission") on September 18, 2003. The Commission considered Charging Party's appeal to a Notice of Dismissal for lack of jurisdiction issued by the Human Rights Bureau. Oral argument was requested. Lawrence Anderson appeared on behalf of Charging Party, Carol Green, and Kevin Braun appeared on behalf of the Respondent, Department of Labor and Industry, State of Montana.

After review of the record, the Commission concludes that the Human Rights Bureau properly dismissed the matter for lack of jurisdiction. The Human Rights Bureau lacks jurisdiction over matters properly before a court of competent jurisdiction. The determination by the Human Rights Bureau that the Bureau lacks jurisdiction is supported by substantial credible evidence and is legally correct. Therefore, the Commission determines there was no abuse of discretion by the Human Rights Bureau in its issuance of a Notice of Dismissal for lack of jurisdiction. *Admin. R. Mont. 24.9.1714(3)*

Charging Party will have 90 days after the receipt of this order to petition a district court in the district where the alleged violation occurred for the appropriate relief. *Mont. Code Ann. § 49-2-509(5) and Admin. R. Mont. 24.9.1714(5)*. If Charging Party fails to commence a civil action within 90 days, the claim is time barred. *Id.*

IT IS HEREBY ORDERED, that Charging Party's objection is overruled and notice of dismissal is affirmed.

Dated this \_\_\_\_\_ day of October, 2003.

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Mr. Gary Hindoién, Chair  
Montana Human Rights Commission

## CERTIFICATE OF SERVICE

The undersign employee of the Human Rights Bureau certifies that a true copy of the forgoing Human Rights Commission ORDER was served on the following persons by U.S. mail, postage prepaid, on October \_\_\_\_, 2003.

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Montana Human Rights Bureau